Attorney Docket No. US030225US PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Richard Chi-Te Shen
Serial No. 10/560,713
Filed: December 15, 2005
For: TRICK PLAY USING CRT SCAN MODES

Group Art Unit: 2621
Confirmation No. 8549
Examiner: Dazenski, Marc A.

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION

Sir/Madam:

In the Office Action dated April 29, 2009, the Examiner has required a restriction to one of the following inventions:

Group I: Claims 1-15 and 27-39, drawn to a method and a video player, classified in class 386, subclass 68;

Group II: Claims 16-26, drawn to a method, classified in class 386, subclass 110; and

Group III: Claim 40, drawn to a display device, classified in class 348, subclass 447.

In particular, the Examiner has required a restriction between subcombinations usable together, as explained in MPEP 806.05(d). However, chapter 800 of the MPEP is not applicable to the current application, which is an application entering the National Stage under 35 U.S.C. 371. MPEP 801 states the following:

> "This chapter is **limited to** a discussion of the subject of restriction and double patenting under Title 35 of the United States Code and Title 37 of the Code of Federal Regulations as it relates to national applications filed under 35 U.S.C. 111(a). The discussion of unity of

> invention under the Patent Cooperation Treaty Articles and Rules as it is applied as an International Searching Authority, International Preliminary Examining Authority, and in applications entering the National Stage under 35 U.S.C. 371 as a Designated or Elected Office in the U.S. Patent and Trademark Office is covered in Chapter 1800" (emphasis added).

Thus, the reasons for the restriction requirement, as set forth by the Examiner, are not applicable to the current application.

Applicant respectfully submits that there is unity of invention for the current application. For some guidance, Applicant has reviewed the International Search Report (ISR), the International Preliminary Report on Patentability (IPRP), and the Written Opinion (WO) for Application No. PCT/IB2004/051051 (Pub. No. WO 2005/002223 A1, published January 6, 2005), which corresponds to this national application. The ISR, the IPRP, and the WO note no issues with respect to a "Lack of Unity of Invention" in the pending claims (claims 1-40). Therefore, the review made by WIPO regarding Applicant's invention showed no need to parse out claims 1-40 and found no undue burden in performing a search on all of the claims.

In light of the arguments presented, Applicant requests that the Examination of claims 1-40 as a whole, continue. Thus, Applicant provisionally elects with traverse Group I for prosecution. Claims 1-15 and 27-39 are readable on the elected Group I.

Applicant respectfully suggests that the pending claims 1-40 in the patent application are distinct over the prior art and that the application is in condition for allowance. Accordingly, a notice of allowance is earnestly solicited.

Respectfully submitted,
Richard Chi-Te Shen

Date: May 29, 2009

By: /thomas h. ham/
Thomas H. Ham
Registration No. 43,654
Telephone: (925) 249-1300